

REMARKS

Claims 1-22 constitute the pending claims in the present application. Claims 1-15 stand as rejected by the Examiner. Claim 13 has been cancelled. Claims 16-22 are new. Applicants have amended claims 1 and 7 to include hydrogen in the definitions of R¹¹, R¹², and R¹³ in the definition of R⁵. Support for this can be found in the specification on page 16, lines 7-31 and in examples 2, 3, 6-43, 45-49, 51-67 wherein R¹¹, R¹², or R¹³ is hydrogen. The definition of group 1 in claim 6 has been amended to include C₁₋₃alkyl and trifluoromethyl. Basis for this amendment can be found in the specification on page 8, line 30. Claim 7 has been amended to include the definitions of R⁶ and R⁷. Support for this amendment can be found in the specification on page 16, line 1. Applicants assert that these amendments present no new matter.

Furthermore, Applicants have added claims 16-22. Basis for claim 16 can be found in the specification on page 4, lines 17-19; page 16, lines 7, 12-18, and 23-27; and page 17, lines 1-3. Basis for claim 17 can be found in the specification on page 17, line 32. Basis for claim 18 can be found on page 17, lines 4, 5, 7-8, 19-21, and 27-30. Basis for claim 19 can be found in the specification on page 17, line 31. Basis for claim 20 can be found in the specification on page 17, line 24. Basis for claim 21 can be found in the specification on page 18, lines 2 and 3. Basis for claim 22 can be found in the specification on page 16, line 2. Applicants assert that these newly presented claims present no new matter.

Applicants respectfully request reconsideration in view of the following remarks. Issues raised by the Examiner will be addressed below in the order they appear in the prior Office Action.

1. Claims 1-15 are rejected under 35 USC 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In particular, the Examiner has objected to the use of the term “prodrug” together with “ester” and “amide” in claim 1. Solely for the purpose of expediting prosecution, Applicants have amended claims 1, 14, and 15 deleting the term “prodrug.” Furthermore, Applicants have amended claim 11 to recite a phosphate ester and deleted the term “prodrug.” Support for this amendment can be found on page 19, line 14 of the specification. Applicants reserve the right to

prosecute claims of similar or differing scope to claims 1, 11, 14, and 15 in their unamended form in subsequent applications.

The Examiner has objected to the use of the term “pyridone” together with “an aromatic heterocyclic group” in claims 5-7. Solely for the purpose of expediting prosecution, Applicants have amended claims 5-7 and deleted the term “pyridone.” Applicants reserve the right to prosecute claims of similar or differing scope to claims 5-7 in their unamended form in subsequent applications.

The Examiner has objected to the use of the phrase “such as” but has not specifically cited a corresponding claim. Solely for the purpose of expediting prosecution, Applicants have amended claims 2 and 4 to remove the phrase “such as”. Applicants reserve the right to prosecute claims of similar or differing scope to claims 2 and 4 in their unamended form in subsequent applications.

The Examiner has alleges that claim 12 is indefinite because “it is unclear what features of R¹, R², R³, R⁴ get converted.” Solely for the purpose of expediting prosecution, Applicants have amended claim 12 to no longer recite language of “converting any precursor groups” or “changing a group.” Applicants reserve the right to prosecute claims of similar or differing scope to claim 12 in its unamended form in subsequent applications.

The Examiner alleges that claim 13 is indefinite. Solely for the purpose of expediting prosecution, Applicants have cancelled claim 13, thus rendering the rejection moot. Applicants reserve the right to prosecute claims of similar or differing scope to claim 13 in subsequent applications.

Applicants assert that the instant claims as amended are not indefinite under 35 USC 112, second paragraph and respectfully request withdrawal of the rejection.

2. Claim 14 is rejected under 35 USC 112, first paragraph. The Examiner acknowledges that the specification is enabling for the treatment of breast cancer but alleges that the specification “does not reasonably provide enablement for the treatment of all other diseases embraced by claim 14.”

Claim 14 has been amended to recite treatment of colorectal or breast cancer. The Examiner has already acknowledged enablement for treatment of breast cancer, and support for treatment of colorectal cancer can be found on page 2, line 13-18 where the state of the art with regard to the role of aurora2 kinase in colorectal cancer is presented. Further support can be found on page 3, line 3; page 24, line 23; page 25, line 11; and page 27, line 15. Applicants assert that one of skill in the art at the time of filing could have used the disclosed invention without undue experimentation based on the knowledge available in the art and the teachings of the specification, including the above-cited passages. Accordingly, Applicants assert that the specification is enabling for the treatment of colorectal cancer and that the instant claim as amended is enabled. As such Applicants respectfully request withdrawal of the rejection. Applicants reserve the right to prosecute claims of similar or differing scope to claim 14 in its unamended form in subsequent applications.

3. Claim 13 is rejected under 35 USC 101. Applicants have cancelled claim 13, rendering the rejection moot. Applicants respectfully request withdrawal of the rejection

4. Claims 1 and 5-7 are objected to for various informalities. These claims have been amended to correct the informalities.

5. Claims 4 and 9 are objected to under 37 CFR 1.75(c) as being improper form because they refer to two sets of claims for different features. Claims 4 and 9 have been amended to obviate the objection.

6. The disclosure is objected to because of informalities. Applicants have amended the specification to correct these errors. Furthermore, Applicants have also amended the claims to correct for the occurrence of informalities.

Claims 4, 5, 8, 10, and 11 have been amended to be singularly dependent. Claim 6 has been amended to alter its dependency. Applicants assert that these amendments present no new matter.

CONCLUSION

In view of the foregoing amendments and remarks, Applicants submit that the pending claims are in condition for allowance. Early and favorable reconsideration is respectfully

solicited. The Examiner may address any questions raised by this submission to the undersigned at 617-951-7000. Should an extension of time be required, Applicants hereby petition for same and request that the extension fee and any other fee required for timely consideration of this submission be charged to **Deposit Account No. 18-1945**.

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Respectfully Submitted,



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